

N.D.N.Y.
22-cv-986
Suddaby, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 7th day of December, two thousand twenty-two.

Present:

Robert D. Sack,
Richard C. Wesley,
Joseph F. Bianco,
Circuit Judges.

Ivan Antonyuk, et al.,

Plaintiffs-Appellees,

v.

22-2908(L),
22-2972(Con)

Kathleen Hochul, in her Official Capacity as
Governor of the State of New York, et al.,

Defendants-Appellants.

Appellants request a stay pending appeal of the district court's order dated November 7, 2022 (N.D.N.Y. 22-cv-986, doc. 78), enjoining Appellants from enforcing certain aspects of New York's Concealed Carry Improvement Act ("CCIA"). Having weighed the applicable factors, *see In re World Trade Ctr. Disaster Site Litig.*, 503 F.3d 167, 170 (2d Cir. 2007), we conclude that a stay pending appeal is warranted. Accordingly, upon due consideration, it is hereby ORDERED that the motion for a stay pending appeal is GRANTED and the district court's November 7 order is STAYED pending the resolution of this appeal. To the extent that the district court's order bars enforcement of the CCIA's provisions related to persons who have been tasked with the duty to keep the peace at places of worship, airports, and private buses, such categories are EXCEPTED from this order. Appellees' motion to expedite the resolution of the matter is GRANTED.

FOR THE COURT:
Catherine O'Hagan Wolfe,
Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit





